ATTORNEY DOCKET: SP00-265A SERIAL NO. 10/679,082 FILED: OCTOBER 3, 2003 GROUP ART UNIT: 1755

EXAMINER: ELIZABETH A. BOLDEN

PAGE 4

#### Remarks

In view of the above amendments and the following remarks, favorable reconsideration of the outstanding office action is respectfully requested.

Attached hereto is a page entitled "Version of Markings to Show Changes Made."

Claims 1, 3, 4, 6-9 remain in this application. Claims 1, 3, 4, 6-9 have been amended. Claims 2 and 5 have been canceled. New claim 21 has been added. Claims 10-20 have previously been withdrawn from consideration, without prejudice.

### 1. Specification

The Examiner objects to the specification as failing to provide proper antecedent basis for the claimed subject matter of claims 2, 3, 5, and 6. Applicant has corrected the specification as indicated above. A substitute specification is provided. No new matter has been added.

# 2. Objections to Formal Matters in the Claims

The Examiner indicates various informalities or typographical errors in the claims, which Applicant has corrected above as appropriate.

#### 3. § 112 Rejections

The Examiner rejects claims 1-9 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, Examiner alleges that claims 1 and 4 are indefinite because no specific composition for the material is set forth. Further, in claims 2 and 5 the term "high" is considered relative and renders the claims indefinite.

In compliance, Applicant has rewritten claims 1 and 4, and cancelled claims 2 and 5.

# 7. Conclusion

Based upon the above amendments, remarks, and papers of record, Applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests reconsideration of the pending claims and a prompt Notice of Allowance thereon.

ATTORNEY DOCKET: SP00-265A SERIAL NO. 10/679,082 FILED: OCTOBER 3, 2003 GROUP ART UNIT: 1755

**EXAMINER: ELIZABETH A. BOLDEN** 

PAGE 5

Applicant believes that no extension of time is necessary to make this Response timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Timothy M. Schaeberle at 607-974-3164.

Respectfully submitted,

**CORNING INCORPORATED** 

Date: May 5, 2004

Thomas R. Beall Registration No. 40,424 Corning Incorporated Patent Department Mail Stop SP-TI-03-1 Corning, NY 14831

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, Alexandria, VA 22313-1450 on May 5, 2004

Date of Deposit

Thomas R. Beall
Name of applicant, assignee, or
Registered Representative

Signature

May 5, 2004 Date of Signature